

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEE ARTERS T/A GREENDALE BUILDERS	:	CIVIL ACTION – LAW
	:	
Plaintiff(s),	:	
v.	:	NO. 02-CV-4388
	:	
ZURICH AMERICAN INSURANCE CO. t/a,	:	
ZURICH NORTH AMERICA as successor in	:	
Interest to ASSURANCE CO. OF AMERICA	:	JURY OF TWELVE (12)
	:	DEMANDED
and	:	
	:	
ASSURANCE CO. OF AMERICA	:	
	:	
Defendant(s).	:	

ORDER

AND NOW, this _____ day of _____, 2003 upon consideration of Plaintiff's Motion for Partial Summary Judgment Sur Declaratory Judgment Action and Defendants' response thereto, it is hereby ORDERED that Plaintiff's Motion is DENIED. It is further ORDERED that the claims asserted against defendant Zurich American Insurance Co. t/a/ Zurich North America as successor in interest to Assurance Co. of American are dismissed, with prejudice, and that summary judgment is GRANTED in favor of Defendants as to all claims asserted against them.

The Honorable John P. Fullman, U.S.D.J.